The Cochin Live-stock Improvement Bill

Mr. T. K. Nayar *(Minister for Rural Development)*: Sir, I move that the Cochin Live-stock Improvement Bill be read in the Council.

Mr. M. Sivarama Menon *(Advocate-General)*: I second it.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: I oppose the motion. I thought the Hon'ble Minister would explain.

Mr. T. K. Nayar *(Minister for Rural Development)*: I will explain. The improvement of Live-stock is as important as the improvement of agriculture. The welfare and success of an agriculturist depend much upon the working animals at his command. For Dairy purposes good milking cows and buffallows are necessary. Our State when compared with the rest of India is too poor in her cattle wealth—not in quantity but in quality. Our draught animals are small ones and the average yield of our cow is too low. In accordance with the recommendations of the animal husbandry board of the Imperial Council of Agricultural Research steps are being taken in other provinces and States to improve their cattle wealth. It is high time that we also take adequate measures for the improvement of our live-stock both in the interests of agriculture and the general health of the population.

The two important factors in cattle improvement are breeding and feeding. So far as the State is concerned breeding is more important than feeding. In normal times our animals may not have to starve for want of fodder and grass. But in the matter of breeding we have to take better care to improve our stock. We have no recognised breeds of merit like the Sindhi of Sind or the Ongole of Madras. Attempts have been made to bring down animals of these varieties and to try them in the Central Farm at Ollukkara. It has been found that they are suitable breeds to our State. With the limited number of animals that could be secured from these places attempts have been made to station stud bulls in important centres and localities and to give grants for their maintenance. It is the intention of the Government to expand this ectivity gradually with the funds that could be made available for the purpose. But if indigenous breeds are allowed to cover animals as before it will not be possible to achieve the purpose aimed at easily. Such bulls which are useless for breeding purposes have to be castrated and in the wider interests of the State compulsion is necessary for this. Hence this Bill. Similar Act has been passed in the Madras Province. The provision of the Bill for compulsory castration is proposed to be brought into force only gradually in areas where sufficient number of stud bulls of recognised breeds are stationed.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Sir, on a point of information, may I know whether the Hon'ble Minister has any idea of referring this Bill to a Select Committee.

Mr. T. K. Nayar *(Minister for Rural Development)*: I thought that there was no necessity to refer this Bill to a Select Cemmittee because it is so simple. I do not think there is any complicated question arising out of this. A similar Bill has been passed in the British Indian Provinces and we are not going to introduce it all on a sudden throughout the State. We are enforcing this Act only in certain limited areas where Government will station necessary bulls and gradually the whole scheme will be developed and extended to the whole State.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: Bulls alone won't do.

Mr. T. K. Nayar *(Minister for Rural Development)*: Cows also will be necessary.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: What is exactly meant by a bull. Is it simply a stud bull or a cattle used for ploughing purposes also.

Mr. T. K. Nayar *(Minister for Rural Development)*: No.

Mr. A. V. Moothedan *(Chalakkudi)*: It is not stated here. "Bull" is not defined properly. It will cause a lot of hardship to the cultivators because the word is so very vague and indefinite.

Mr. T. K. Nayar *(Minister for Rural Development)*: Let me hear how the difficulty will arise to the agriculturists.

Mr. T. A. Ramachahdra Ayyar *(Nellayi)*: What is meant by a "Bull". Suppose I have a bull fit for ploughing purposes and suppose the Inspector comes and says that it is fit for covering purposes also? What will be the position?

Mr. M. Sivarama Menon *(Advocate-General)*: If it is fit for covering purposes it will come within this Bill.

Mr. T. K. Nayar *(Minister for Rural Development)*: The intention of the Bill is that only stud bulls will come under this Bill.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: The intention may be there. But the Bill as it now stands will take in every bull kept for any purpose. If it is meant that a bull means

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a bull for covering purposes alone and not for ploughing purposes then I do not oppose the Bill at all.

Mr. T. K. Nayar *(Minister for Rural Development)*: The whole intention is that.

Mr. A. V. Moothedan *(Chalakkudi)*: What you have written here is different from your intention.

Mr. T. K. Nayar *(Minister for Rural Development)*: I would like to hear what the Hon'ble Member has to say.

Mr. President: Would Mr. Ramachandra Ayyar give his reasons for opposing the Bill?

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: Sir, as I told you once I am not a very good speaker in English. So what I used to do is to write down my speech whenever you are here. But I was not able to do that. If I speek in Malayalam you may not nuderstand.

Mr. President: It is enough if the Hon'ble Minister understands.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: It is not enough.

(A voice: The Honb'le President can understand Tamil and you can speek in Tamil).

Mr. M. Nanoo Menon *(Eranakulam)*: Then we will feel some difficulty to understand him.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: Anyhow, I must make you understand and I will try to speak in English.

Cochin is an agricultural country, it is admitted, and every poor man also does agricultural work and he will have to keep at least a pair of bulls for ploughing purposes and to take a license for keeping even a pair of bulls is very very difficult indeed though it is free.

Mr. President: May I ask you one question. Cannot castrated bulls be used for ploughing.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: He should get a license. That is the whole trouble. The Inspector must say that it is fully castrated and that it is fully unfit for covering purposes and so on. He has to take a license. It is said that the license would be given free. But we know how much difficulty there would be to get a free license. If the license is not free it will not be so very difficult to get it. Most of these agriculturists in the villages are uneducated and they do not know the rules. He will go to the Inspector to get a license. The Inspector will say "come tomorrow". The next day the Inspector will not be there. And this man to get a license will have to work so many times. Instead of that, he will give the mamool and get the license. So it is not easy as it would seem to take a license from the Inspector.

Castration may be made compulsory. I have no objection. Let the Veterinary Doctor go over to every house and compel the owner to castrate bulls. I have no objection. But the poor villager should go the Veterinary Doctor to get the free license. Then only he can keep a bull. That is most dangerous to our agriculture. Our policy is to grow more food and grow as much food as possible and if you put restrictions like this it will be most dangerous and serious, I say.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram)*: Some persons are keeping bulls for both the purposes. They must have a license.

Mr. Joseph Petta *(Adur)*: On a piece of information, section 4 says that a license is wanted unless it is effectively castrated. So do castrated bulls require license. Then where is the fear?

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: Anyhow, you must get a license. For ordinary bulls kept for agricultural purpose they should get a license. It is most difficult and unnecessary.

Mr. M. Sivarama Menon *(Advocate-General)*: The question is only whether license should be taken by every person to keep any kind of bull. The second point raised is whether it is not highly inconvenient to the agriculturists to take these bulls to the Veterinary Surgeon in order to secure licenses with regard to castrated bulls.

Upon the first point you will see that section 4 deals with licenses to be taken out for bulls unless they are effectively castrated. This is what the section says.

> "(1) No person shall keep a bull which has attained the prescribed age except under and in accordance with the terms, conditions and restrictions of a license granted under this section, unless it is effectively castrated."

Upon the second point, section 7 which runs thus furnishes the answer.

> "The licensing officer may by order require any person keeping a bull to submit for inspection by himself or by any officer or person deputed by him for the purpose, at any reasonable time, either at the place where the bull is kept for the time being or at any

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other reasonabl place specified in the order, and thereupon it shall be the duty of the person keeping the bull to submit it for inspection accordingly, and render all reasonable assistance in connection with such inspection to the officer concerned".

The Bill contains the provision to the effect that inspection can also be had at the place where the bull is ordinarily kept. If on account of certain inconveniences it is not possible to take the bull to the Inspector it is only a matter for executive action. An order can be issued, that the Inspector must go and inspect the bulls in the villages. That can be easily done. The purpose of the Bill is to see that a bull which is not effectively castrated is not allowed to breed cattle. It is only to improve the quality of breeding bulls that this Bill is brought forward.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: The object behind the Bill is easily admitted to be very laudable and in that matter the House, I am confident, will be behind the Hon'ble Mover of the Bill. From within the short space of a few minutes after the introduction and from what has transpired here it is evident that the Bill, section after section, clause after clause may probably, require scrutiny and appropriate changes effected, say, in furtherance of that very laudable object behind the Bill. In view of that I move that the Bill may be referred to a select committee.

(A voice. The motion for introduction has not yet been put to vote).

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I am sory I shall make the motion in proper time.

Mr. President: That is the next stage.

Mr. A. B. Salem *(Mattancheri)*: Sir, I also rise to oppose this measure. At first I thought that it was the improvement of live-stock that was being aimed at. But now I see no provision for the improvement of live-stock except the indirect effect of proper castration or improper castration being performed on the bulls. I thought this measure will be for providing grazing grounds, giving some additional food for the cattle and in other ways for improving the cattle. The only provision here is "License your bulls. Castrate them. If you do not castrate them we will give you notice to bring them." It is easily said that in section 7 there is a provision for inspection of the bull where it is kept or some other reasonable place. What is the reasonable place where the poor agriculturist could produce his bull? It will be the village office. So every day for five or six days he has to go with the bull to the places, which are supposed to be reasonable. The man will not be there. We know all these troubles. We have ample experience of these things in the country. The man says "come at such and such a place". When the poor man goes there with the bull the man may not be there. He will say afterwards കുട്ടിക്ക് ഒരു ചോറുണ്ടാക്കിയിട്ടന്നു അന്നിന്നു ചോറു! He had to feed his child in a temple and he had been to that place. A lot of trouble will be given to the poor ryots by this Bill. There is no doubt about that. I prophecy that. Therefore, on that ground I seriously oppose that section itself. If you want it to be licensed you must make a provision by which the licensing officer shall go and visit the places where they are kept, do castrate them and give licenses then and there. If that is the provision I shall give my support. But any other provision by which the poor ryot is put to difficulties, certainly every member of this House who has got the interests of the ryots at heart must oppose. Otherwise it will be a measure fraught with great mischief and will be only producing the results of mischief being encouraged in this House.

Why do you want this Bill? You have been having a policy of giving inducements to people to get good bulls. If a person is keeping a good bull you give him something and to purchase a good bull give him something or give him some inducement to keep the bulls in good condition. In that way give them some prizes from the Agricultural Department. In such a way attract him to do the thing better, not by compulsion. That is not the way to lead to the prosperity of the agriculturists. It will be the most mischievous way. How many Veterinary Doctors and Inspectors are you going to appoint to go all over the country? How many have you got now? Have you got one for every village, or for every firka? So it will be spelling untold difficulties to the agriculturists. I therefore very strongly oppose this Bill.

Mr. K. M. Ibahim *(Cranganur)*: Mr. President, Sir, what I could gather, Mr. President, from the observations of the Hon'ble Member for Mattancheri is that the Bill is not camprehensive enough. The Hon'ble Member says: "here it is only a question of castration of bulls. Why is there not a provision for grazing grounds". He could then very well say why we are not having large-scale gaint farms as in U. S. S. R. and other advanced agricultural countries if this Bill is intended for the improvement of the live-stock. My answer to him is that this Bill is intended to improve our cattle by an expediency which is considered to be very essential for the improvement of the live-stock, that is to say, compulsory castration. If the Hon'ble Member

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wants other measures to be incorporated in our Statute Book by which innumerable instances of improvement can be done to the live-stock, to agriculture and sundry matters he can himself bring in a legislation. He can ask the Government to bring in legislation. There is no point in opposing this measure and saying that there are every so many deficiencies, which one can imagine. I am surprised at the funny way of people opposing good measures like this. Indeed one would call it "the silly way".

Mr. A. B. Salem *(Mattancheri):* I object to that word.

Mr. President: It is a perfectly good English word.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* The question is whether it is parliamentary.

Mr. President: It is perfectly parliamentary.

Mr. K. M. Ibrahim *(Cranganur):* The second point on which a good deal was sought to be placed is that this officer for castration, that is the veterinary surgeon, must in all cases visit the dwellings of the agriculturist who owns bulls. As the Hon'ble Advocate-General very clearly and in lucid terms said, by section 7 there is no absolute bar imposed on the Veterinary Doctor going to the particular families or tarwads. But you cannot expect the limited number of our Veterinary Doctors to visit all families all over the State. Whenever it is convenient for him he will go and inspect. After all, how many bulls has Mr. Salem got? I can assure you that he has not got any bull and he waxes elequence on the future of Cochin's bulls.

Mr. A. B. Salem *(Mattancheri):* How many have you got?

Mr. K. M. Ibrahim *(Cranganur):* I have got 4 *(Laughter).*

Then again, Sir, he beats about the bush by bringing another alternative suggestion, giving prizes to those who keep bulls. If he honestly thinks that it is a good experiment to be tried in Cochin, it is for him to bring in a legislation or resolution for that. On that ground, how can he attack a useful measure? I think that is a point on which he will have no legitimate answer to give.

Apart from this I do not find a single point raised by him.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* I feel, Sir, that this Bill is well-conceived. But at present, I keep an open mind. I have not decided yet whether to oppose the Bill or support the Bill. I shall explain my position. (A voice. Then why do you speak?)

Mr. President: Order, order.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I raise a point of order, whether it is proper and parliamentary to address members as "you".

Mr. President: I just called the Hon'ble Member to order, reminding that members should address the Chair.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* I find Mr. Salem basing his opposition mainly on the ground that this Bill is liable to make the poor agriculturists the victims of the vexatious attentions of petty officialdom.

That is a valid objection, I mean for the purpose of argument. But, Sir, Mr. Salem is forgetting that this Bill has been sponsored by the Hon'ble Minister for Rural Development. This Bill, if placed on the Statute Book, is to be given effect to by the Hon'ble Minister who is our man, who is here to obey our mandates and our instructions, and therefore, if it comes to our notice that petty officialdom is going beyond the legitimate limits prescribed by the rules of service, it is in our power to bring them to task. Therefore, in my humble opinion, that objection of the Hon'ble Member for Mattancheri does not stand.

Sir, This Bill is well-conceived. There is necessity for placing such a Bill on our Statute Book. But it serves absolutely no useful purpose if it is to be made an ornament to the Statute Book. You have got the Juvenile Smoking Act on the Statute Book, but the problem is not solved. Therefore, my point is, you must place facts and figures before this House and convince this House that you have not been preposterous in bringing this Bill now. Sir, I am afraid you are putting the cart before the horses. Why? The Hon'ble Minister has explained that our cattle wealth is not worth the name, it is a liability. In all the other parts of India, we can say we have got some cattle wealth. So far as Cochin is concerned, our cattle is a liability and not a wealth. That is a matter of shame and it is high time that we spend money, money in tons, to tackle this very important problem for the cause of agriculture. I do not propose to dwell at length on this point, because it is too late in the day to speak about the importance of developing our cattle wealth. It is after all a technical subject. Therefore, I am concerned only with the legal aspect and its repercussions on the broad issues involved. According to me, Sir, you

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must tackle it bothways. During question hour this day it was pointed out that there is scarcity of grazing ground from one end of the State to the other.

Sir, there is an area in Nemmara which is rocky and which is marked in the Revenue records as a grazing ground. Evidently Government is under the impression that the cattle will thrive by licking the surface of the rocks. It was this that I wished to point out during question hour today but was ruled down by the Chair perhaps because I tried to but in the wrong way. From one end of the State to the other there is absolutely no grazing ground. We give the cattle dried fodder, but for green luscious grass, they can just dream of it. We let loose our cattle not for grazing but for exercise. They go about streets and roads eating scraps of paper and straw, and I leave it at that. So much so you will do well, whatever be the expenses involved, to acquire areas in suitable localities from one end of the State to the other and reserve them for purposes of grazing for our cattle. To minimise the areas so reserved, you will do well to take to intensive cultivation of special fodder crops and our Agricultural Department have not done anything to popularise cultivation of fodder crops to my knowledge. There are other things also. Our Food Supplies Department has controlled the prices of ever so many commodities, but till now and if I remember right, I have officially given the suggestion to the Food Supplies Director to control the price of cattle fodder, they have not done anything of the sort. There may be special difficulties for Government to effect control in the matter of prices of cocoanut punnac. But please note that it is not possible, that it is not an economic proposition, to maintain a cow or a buffalo now. Again, Sir, I will be the last man to blame the Government. So, any remark offered here is offered in a very constructive spirit, please note it. In my humble opinion, the measures taken by the Government with a view to improve the live-stock have resulted in a scandalous waste of public funds. I deliberately repeat it has been a scandalous waste of public money. It has served no useful purpose, and if it is conducted on the same lines in which such activities have been conducted till now, it will be a greater waste of public money. I with my common-sense, with an intelligent layman's knowledge of such matter as cattle breeding deliberately repeat that there is rhyme or reason in what our Agricultural Department is doing in this matter of improving our livestock. I shall substantiate what I say. You keep a collection of cattle in the Central Farm for show purposes. Have you distributed your wealth of cattle, your so-called collection of pedigree cattle among approved citizens! Have you maintained a record of the milking capacity of each and every animal you keep in the Central Farm?

Mr. T. K. Nayar *(Minister for Rural Development)* : Yes.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)* : What is your record?

Mr. T. K. Nayar *(Minister for Rural Development)* : I want notice,

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)* : You say your records compare favourably with those maintained in Diary Farms in Pusa, Hozur or Bangalore?

Mr. T. K. Nayar *(Minister for Rural Development)* : I want notice.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)* : Do the figures compare favourably with the yield of Scindi cattle or the Montgomery cattle ?

Mr. President : The Hon'ble Member is asking rhetorical questions. You cannot expect the Hon'ble Minister to answer such questions on the floor of this House off-hand. I may also remind the Hon'ble Member that I have given him a very long rope indeed. He has trespassed a very long way from the Bill that is now before the House.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)* : Sir, I can give you my assurance that I will try my best to keep to your standard of relevancy with a view to improve our live-stock, you encourage citizens to keep good stocks of pedigree cattle. You may subsidise them. You may distribute good stocks of cattle. You may formulate a sort of hire-purchase system. These are details which I do not feel justified in mentioning at length now. My point is, it is not enough if you bring this Bill before the House. You must give an assurance and you must satisfy this House that you are going to seriously tackle this problem. Otherwise, this Bill is not going to serve any useful purpose, It may even be possitively mischievous. If you make a serious attempt to tackle this problem in all earnestness and seriousness, it is a very well-come piece of legislation. So, on the supposition that you are going to make a very serious attempt to tackle these important problem, I welcome this piece of legislation. It has minor defects of drafting. This can be rectified. The bill may be brought into shape during the select committee stage. But it deserves to be placed before the select committee. In the form in which it has been brought into this House it is not so non-controversial as the Minister said. I will explain.

Mr. K. M. Ibrahim *(Cranganur)* : What is the defect for the select committee to rectify?

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Mr. President: Order, order.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* There is another point—a very important point. I scanned this Bill thoroughly and I failed to note any provision in this Bill which bans, which penalises, the very crude method of castrating bulls which our people to adopt. It is a very crude and inhuman method. I want to penalise it, I want to ban it. It is a matter of shame to be born an Indian and to tolerate that inhuman practice to continue here when we have a Veterinary Department which can do it with the minimum amount of pain. The common people crush and squeeze the vital parts of the bulls in a crude way and the animal has to suffer agonies. I think the Government would do well to penalise the present crude method of castrating bulls.

So in section 8 (2) "Such castration shall be performed or caused to be performed by the licensing officer free of charge, unless the owner or other person keeping the bull desires to make his own arrangements for complying with the order". You should not allow a man to make his own arrangements, that is my point, that is my humble opinion, but it is for the House to decide.

Section 9 is very objectionable. "If any notice or order is served under section 5, section 7, or section 8 on any person who is not the owner of the bull, it shall be the duty of that person forthwith to take all reasonable steps to inform the owner of the contents of such notice or order, and if he fails to do so, he shall be liable to indemnify the owner against any loss the owner may sustain by reason of such failure." Why place that responsibility on a man who is not the owner and on whom a notice has been wrongly served. Your subordinates, your Village Parvathiams, ought to have sufficient local knowledge as to make no mistake of identity in such matters. You give your subordinates the power to issue a notice to a man. You allow them to go wrong even though that man may not be the owner of the bull. And you place a responsibility on the shoulders of the man on whom a notice has been wrongly served. You have put it in the wrong way. This House will be failing in its duty if it takes no objection to that part of the Bill. You make it the responsibility of your subordinates, and if there is any bonafide mistake, well, such things do happen in this world and we can provide for such lapses in the Bill in a regular way. Why go out of the way and place the burden on the agriculturist who may be a very busy man, and try to shield your subordinates? That is one very vital objection.

Another very important point is this, I mean section 21. "Nothing contained in this Act shall apply to a bull dedicated in good faith to a religious purpose in accordance with any religious usage or custom, provided that notice of the dedication is given in the prescribed manner to the licensing officer." If you make such a provision in the proposed enactment, the whole bottom of the Bill is knocked off. I understand the difficulties of the Government. I understand the Government trying to keep in mind the religious susceptibilities of the people, but if you exempt the temple bull, your proposed Bill is as good as naught. Those individuals who actuated by religious motives, actuated by motives of respect to their ancestors, dedicate these bulls, but they don't always keep a high standard in mind when ear-marking, when branding calves. "I dedicate this to God Siva, you go free and wander about"—that is the meaning of the mantra.

Mr. C. V. Iyyu *(Kunnamkulam):* Go and procreate,

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* Yes. "Go and replenish the Earth. The Biblical Commandment. These animals so dedicated are undersized in most cases and on very few occasions they are good calves. So much so, if the Government allow that section to dangle as part of this Bill, no purpose is achieved. It will be a travesty of your aim in sponsoring this Bill. I can speak for hours on this subject, and I thank the Chair for allowing me to speak at this length.

Mr. President: I take it that the Hon'ble Member has finished,

Mr. T. S. Ramachandra Ayyar *(Chittur:Tattamangalam):* Yes, Sir.

Mr. K. M. Ibrahim *(Cranganur):* Will the Hon'ble Minister be pleased to inform the House whether he has any objection to remove this exemption pointed out by the Hon'ble Member.

Mr. T. K. Naayar *(Minister for Rural Development):* If the House wants, I have no objection.

Mr. A. V. Moothedan *(Chalakkudi):* Sir, I welcome the very salutary object as stated by the Hon'ble Minister for Rural Development, that is to say to improve the live-stock of the State. That is wholesome and no member will object. But the question is whether by this Bill the desired object will be achieved. That is the question to be examined.

My first objection is, this Bill if it becomes law will cause a lot of inconvenience to the agriculturists. Because of this licensing system and the several provisions of the Bill the

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culturists will be restraining several of their agricultural operations. There are several terms in the license also. The agriculturists will have to produce the bull for inspection at a place suggested by the officer. The Veterinary officer may be in Chalakkudi and the bull may be in Kanjirappilli about six miles off. To take the bull all the way from Kanjirappilli to Chalakkudi is indeed very difficult and it may so happen that on the day the bull is brought over, the officer may not be in station. Then you have to bring the bull on another day. Hence there will be practical difficulties in enforcing the provisions of the Act.

Then coming to the Bill itself, the definition of "bull" also is very defective. The definition is "bull" "includes a buffalo-bull". The term is so very wise that any bull can be brought within the definition whether castrated or non-castrated. My humble submission is a bull whether castrated or not if it is generally used for ploughing purposes, then that bull should not be brought under the operation of this Act. Only such bulls which are used for breeding purposes should be brought under the purview of this Bill. In the village of Pathiyaram, Chalakkudi, etc., there are bulls which are used for ploughing purposes but not castrated. This is due to several other reasons. It is stated that at a prescribed age the bull should be castrated. That opinion may vary from person to person. The officer may think that the bull has attained age but the ordinary man may think that it has not reached the age when it should be castrated. So there are every so many difficulties in the way and the common people would be put to difficulties. What I submit is that a bull generally used for ploughing purposes, whether castrated or not, may not be brought within the provisions of this Bill. But a bull specially used for breeding purposes may be brought under this Act. The section should be suitably amended to achieve the above purpose.

Then I come to section 8 of the Act. "The licensing officer may by order require any person keeping a bull which in his opinion has attained the prescribed age, and in respect of which no license is for the time being in force under this Act, to have it castrated, within one month from the date of the service of the order, by a method and in a manner approved by the Superintendent and specified in the order". Now according to this provision, if a notice has been received by a cultivator or the owner of a bull, he has to get it castrated within one month. As has been stated the number of veterinary officers are very few and there may be difficulties to get the bull castrated within a period of one month from the date of service of the notice. Therefore that period will have to be certainly extended. It should be 2 months or 6 months. There are several other difficulties also. Now the officer gives a notice in the month of Karkadagam. Then it has to be got castrated before the end of Karkadagam. That being the busy season for cultivation, the owner may require them for purposes of cultivation and he may not be in a position to send the bull for castration. Now the question is whether he should forego that or suffer the penalty under the Act. So what I say is there is practically no harm if the period is extended to three or six months. Till this day we had no such Act in Cochin. We are now in the year 1944. So far in Cochin there is no Act and if a cultivator is given instead of one month, three months time, what is the harm. I do not understand why it has been fixed at one month. That period will certainly have to be extended.

Then I come to section 15 of the Act. It says that "no magistrate shall take cognisance of any offence under this Act except upon a complaint made by licensing officer or any person authorised by such officer in this behalf". I would suggest that prosecution under the Act should not be launched except under the authority of the Government. The Government should order prosecution. Without that the veterinary officer should not prosecute cases. This is a new law. The cultivators do not know the implications of the Act and if such a person is brought before a magistrate and convicted, it is meaningless and it is against the fundamental principles underlying this Bill. Therefore what I submit is that if a person is to be prosecuted, it should be under the authority of the Government. The veterinary officer or the other officer who discovered the case must refer the matter to the Government and the Government may order a prosecution if it is desirable in the ends of justice. If a person for sufficient reasons was not able to get his bull castrated, then the Minister or the Government should have the power to condone the offence. After all this is only a technical offence. Therefore the prosecution should be under the authority of the Government and not according to the whims and fancies of the officers.

The Hon'ble Member for Chittur referred to the in-human way in which this castration is carried on. I fully agree with him in that. The method prevailing in our place I do not say is a human method. But what is the alternative suggestion. Are there sufficient veterinary surgeons to castrate all our bulls.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* But have you seen the process ?

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Mr. A. V. Moothedan *(Chalakkudi)*: No.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: Then better see it.

Mr. A. V. Moothedan *(Chalakkudi)*: That question is irrelevant. How the bulls should be castrated is a different matter. For that the Hon'ble Minister and the Agricultural Department should provide adequate facilities for the cultivators. With these observations I would suggest to the Hon'ble Minister that the Bill may be referred to a Select Committee so that some of these suggestions made by me and the Hon'ble Member for Chittur-Tattamangalam and some others may be considered.

Mr. M. Sivarama Menon *(Advocate-General)*: Sir, apart from the questions of policy that have been adverted to by the hon'ble members, my purpose is only to answer the point raised by the Hon'ble Member for Chittur-Tattamangalam with regard to the necessity or otherwise of section 9 of the Bill. The Hon'ble Member said that it is very curious that such a provision exists in the Act by which a person to whom a notice is issued, is compelled to inform the owner of the bull about the contents of the notice. My answer to that is whenever the ownership of a bull is not definitely known the most competent man to know it is the person in possession of the bull.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: You have not mentioned in the Bill "the man who is in possession of the bull".

Mr. M. Sivarama Menon *(Advocate-General)*: Section 8 indicates that fact. The person who is really in possession of the bull will certainly know who the owner of the bull is. Then of course he knows to whom the information is to be given. If the notice is issued to a person in whose possession the bull is taken to be by the officer who issues the notice, he can state that the bull is not his. Therefore there will be no liability upon such person to go about the world and enquire who the owner of the bull is which is in the possession of somebody else. It is only with regard to the bull in his possession that there will be a liability because in other cases he need only say that the bull is not in his possession. Even in a court of law if any fact is particularly within my knowledge, the burden of proving that fact is placed upon me.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: If the Chair will allow me..

.....

Mr. President: I cannot allow a debate on the point. You have stated the difficulty and the Advocate-General has answered you.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: He is labouring under a confusion, real or assumed, which I would like to clear.

Mr. President: If you wish any further explanation from the Advocate-General you may ask for it.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: In the light of my difficulties, I want an explanation, Sir, in interpreting the section as it stands. You have not made it clear that the person to whom the notice is to be issued rightly or wrongly should be in possession of the bull.

Mr. President: Look at section 8. It seemed pretty obvious when the Hon'ble Member was speaking before that he was reading the Bill for the first time.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: It is stated "it shall be the duty of *that person*." You must make it clear.

Mr. President: The matter is perfectly clear and I think even to the hon'ble member it will be clear if he reads those sections carefully. I cannot allow any further discussion on this point.

Mr. T. A. Ramachandra Ayyar *(Nellayi)*: Sir, I want an information. I am not a lawyer myself and so I want some information from the Advocate-General, whether it is within the meaning of this Act that everyone who keeps a bull whether for agricultural purposes or for breeding should take out a license.

Mr. M. Sivarama Menon *(Advocate-General)*: It is only with regard to a bull which is not effectively castrated that a license is necessary and in order to decide whether a bull has been effectively castrated, the licensing officers have power to inspect the bulls and if they find that a bull not fit to be maintained for breeding purposes is not effectively castrated, they can issue a notice to have the bull effectively castrated.

Mr. A. B. Salem *(Mattancheri)*: May I know, Sir.....

Mr. President: You are too late. I have already called upon the Hon'ble Minister to speak.

Mr. T. K. Nayar *(Minister for Rural Development)*: Sir, I am glad that the House is agreed on the principle of the Bill, but the Hon'ble Member for Mattancheri criticised the Bill

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as a mischievous piece of legislation—far from it. The reasons stated by the Hon'ble Member are not at least to me convincing. Here is a Bill for castrating bulls. Perhaps, as my Hon'ble friend Mr. Ibrahim said then and there, there may be several other methods of improving the livestock of our State, but this is one of them. From our past experience, the Hon'ble Members know very well that Government have been giving grants for keeping bulls, stationing their own bulls, in different Panchayat areas and so on. In the Central Farm, there is a breeding station also. People who want good breed may get their stock from the Central Farm, but with all these, it is found that we have not achieved the desired object, because of the fact that when a stud-bull, pedigree stud-bull I mean, is stationed in a Panchayat area, there are several other scrub bulls in the locality. When these scrub bulls are used for breeding purposes, the object aimed at by stationing one or two pedigree stud-bulls in the locality is not achieved fully. The present idea is clear from the Bill. We select a particular area, station the necessary number of pedigree stud-bulls in the area, castrate all the scrub bulls and improve the local breed. There may be several other methods, I do concede, but I have to bring to the notice of this House that the most important factor in the improvement of the live-stock in supplying the necessary stud-bulls and not cows. It is impossible, according to me, to improve the live-stock of Cochin by supplying the necessary cows. We can only gradually improve the local stock. That is the idea of this Live-stock Improvement Bill. After two, or three, or four generations, of covering with pedigree bulls, the resultant stock would be found to be almost up to the standard. Hence we are selecting certain areas and introducing the provisions of this Bill in those areas.

I think the difficulties pointed out by the hon'ble members are more imaginary than real. When the provisions of this Bill are made applicable to a locality, for instance, Chalakkudi, I don't think the Government will direct all the agriculturists to produce their bulls before the local Veterinary Surgeon at Chalakkudi. That provision in Section 8 is only enabling. Two or three alternative proposals are there. The Veterinary Surgeon may go to the spot. He may direct the parties to bring the bulls to a certain place. For instance, I will prove that there is no ground for fear. Such a provision is absolutely necessary. The Veterinary Surgeon may go to a particular village. He may stay in a particular House there. He may ask the neighbours to bring the bulls there, to that particular house. I am sure the House will concede that it is not possible to ask the Veterinary Surgeon to go to every house and inspect the bulls.

Mr. A. B. Salem *(Mattancheri):* Is the vice versa possible, that is for every man to bring his bull to the Veterinary Surgeon.

Mr. T. K. Nayar *(Minister for Rural Development):* I think the Hon'ble Member for Tattamangalam has answered the question. Your representative is administering this Department. If there is any difficulty to the local public, it is the duty of the hon'ble members to bring it to the notice of the Government and it is the duty of your representative here to see that your mandate is carried out.

Mr. A. B. Salem *(Mattancheri):* I don't mean that the Minister won't attend to such complaints.

Mr. T. K. Nayar *(Minister for Rural Development):* Both are possible. The Veterinary Surgeon can go to the houses and the house-owner can go to the Veterinary Surgeon. When a new Bill is introduced, to effect its provisions there will be difficulties, I concede. But the point that we have to consider which is more important, in introducing this legislation for the improvement of our livestock, is whether ws should castrate all the scrub bulls or we should allow these bulls to roam about.

Mr. A. B. Salem *(Mattancheri):* It is necessary to castrate scrub bulls.

Mr. T. K. Nayar *(Minister for Rural Development):* If that is conceded by the Hon'ble Member for Mattancheri, then I do not think the Bill is a mischievous piece of legislation. I do not think any further elucidation is necessary. That last clause, that provision for exemption is introduced, because there is a similar provision in the Madras Province. I personally think it better that such a provision is not introduced. But a Province with more experience in live-stock improvement than our State has placed this provision in their Statute Book. Some people may object from their religious point of view, and although I do not perfectly see eye to eye with that provision, still I thought in the initial stage, this provision may remain in the Bill and after some time it may be taken away from the provisions of this Bill. But if the Hon'ble House is for taking away that provision, I am quite agreeable to it.

Mr. A. B. Salem *(Mattancheri):* May I know, Sir, whether your vaccinators do not go to every house? What is the difficulty if these people are also made to.....

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Mr. T. K. Nayar *(Minister for Rural Development):* Vaccinators are not Veterinary Surgeons. If I get a number of Veterinary Surgeons to go to every house, I don't mind. But that is not necessary, as it seems to me.

Mr. A. B. Salem *(Mattancheri):* Appoint more persons.

Mr. T. K. Nayar *(Minister for Rural Development):* I do not think it is necessary. I think I have explained my position clearly. I hope the House will give their sanction for the passage of this Bill.

Motion put and carried

Secretary to the Council: The title of the Bill is "The Cochin Live-stock Improvement Bill."

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Mr. President, I move that this important Bill be referred to a Select Committee consisting of Messrs. T. A. Ramachandara Ayyar, Ephraim Ouseph, K. M. Ibrahim, T. S. Ramachandra Ayyar, K. Kunhirama Menon, the Mover and the Advocate General.

Mr. K. Narayana Menon *(Mulakunnathukavu):* I second it.

Mr. K. M. Ibrahim *(Cranganur):* I oppose the motion.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram):* I second it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Mr. President, now that it is opposed, I wish to make a few observations. I really wonder why a very responsible and influential Member of the Party whose leader is the sponsor of the Bill thinks it necessary to oppose the reference of this Bill to a Select Committee. When a Bill is referred to a Select Committee My Hon'ble and veteran Member for Cranganure—

Mr. K. M. Ibrahim *(Cranganur):* I am a political bat.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* If my Hon'ble friend thinks that the cap fits him, by all means let him wear it.

Mr. K. M. Ibrahim *(Cranganur):* According to your terminology.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* The implication of referring a Bill to a Select Committee, Sir, according to known and accepted Parliamentary procedure, is that the principale of the Bill, the House stands committed to and the object of moving a reference to a Select Committee of such a Bill, namely a Bill whose principle is accepted by the House, is to make it more useful, more acceptable and in no way controvertible. That is the function of the Select Committee. When a motion like that is made from, not the Ministerial Benches, but from other Benches, I expected the Ministerial Benches to reciprocate and appreciate and even applaud the condut of the other Benches in making a motion of that sort. I am not disappointed, Sir, because surprises are the order of the day. In furtherance of the motion and in support of the motion I wish only to submit this. This is a Bill which was introduced about 45 minutes back and during these 45 minutes arguments were advanced from both sides pointing out the imperfections and the defects of the Draft Bill and also pointing out how it can be improved or what are the lines on which the Bill has to be improved. Listening to such a debate for well-neigh 3/4 of an hour it passes again one's comprehension to see how the motion for select committee is opposed. The object is only to see, Sir, that in the light of the observations that are made here and adding anything necessary and useful over and above the suggestions of this House to make the Bill perfect and acceptable. That is the only object that my humble self has in moving the Bill to be considered by a Select Committee and I did this under the accepted Rule of this House. As a preliminary to that I made an enquiry whether the Hon'ble Minister has any idea himself of moving the Bill to a Select Committee. I was not able to get a verbal answer one way or the other. My reading of the face of my Hon'ble Friend suggested that he has no idea of doing it. But at the same time I was able to read that if it were the desire that it should go to a Select Committee (hear, hear) he will have absolutely no objection for referring this all important Bill to be considered by a Select Committee. It is in that best of spirits, the noblest of motives that I stood up here to make the motion and I request that this Hon'ble House consisting of various blocks unfortunately may be placed as one single block, a block of agriculturists, in their interest may be pleased to vote for the motion as one solitary single, united individual. That is the prayer.

Mr. C. K. Nayar *(Nemmara):* I rise to second the motion.

Mr. K. M. Ibrahim *(Cranganur):* Mr. President Sir, I may submit on the floor of this House. My objections to refer this Bill to a Select Committee is that there are one or two understandable points of improvement which can at least be considered. The others are so fantastic that there is no necessity to consider them. The two or three points that may require some consideration can be properly considered when they are brought as amendments. Is there

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any necessity for ... stly Select Committee. A Select Committee means a lot of expenditure to the Government. The existence of a Select Committee is not at all necessary. The Hon'ble House will be pleased to remember that a Bill which was tabled by myself, I refused to refer to a Select Committee. It was passed all the three readings in this House and received the gracious assent of His Highness the Maharaja. I mean the Muslim Charitable Endowment Bill. It was only a copy of the British Law. In the same way, this is only a copy of the British Law and if there are some parochial local distinctions that ought to be made as was enumerated by my Hon'ble predecessors, my sumbission, Mr. President, is that they can be released by proper amendments. For that such a costly machinery as a Select Committee is not proper. In the interests of the Public Revenue, the protected tax-payer I am objecting to this Select Committee.

The Hon'ble Member complaints that barely 45 minutes have been apportioned for the consideration of this Bill and whether it will be a proper discussion. What I submit to this House is that though the discussion on the floor of this House was for 45 minutes, this Bill has been before the Public for a long time. This Bill has been discussed thread-bare in a responsible party and the Public can repose their confidence that the skies are not going to fall if it is passed into Act. Whatever minor matters are necessary can be done even after the passing of this Bill. Therefore to prolong the operations by referring it to a Select Committee at the cost of the tax-payer is not at all considered expedient by me.

Regarding my Hon'ble Friend who is over-anxious about the formation of a Select Committee and regarding this capacity of reading the mind of the Hon'ble Minister, I have all respect to him and all admiration to him. I was simply charmed that he could read the visuality of the Hon'ble Minister. On these points, I oppose the reference of this Bill to a Select Committee.

Mr. V. K. Bhaskara Menon *(Cranganur)* : I support the motion for referring the Bill to a Select Committee not because that there is a necessity for the Bill to be referred to a Select Committee but because of the brilliant arguments advanced by the Advocate of Public Economy, the Hon'ble Member for Cranganur. Now the motion to refer the Bill to a Select Committee has been opposed on the ground that Select Committee are costly and as such the tax-payer's money should not be wasted for Select Committees which are really not required. If that argument is extended, Sir, my submission is that the whole Bill becomes unnecessary and it is a waste of paper to have the Bill introduced. There is already an effective organisation called the National War Front which can carry on intensive propaganda, which can do this as State-wide activity and which can create in the Public, sufficient public opinion so that the Hon'ble Minister would have been saved the bother of bringing a Bill and the country would have been educated, with the greatest economy.

Mr. K. M. Ibrahim *(Cranganur)* : I can castrate him but not the Bulls.

Mr. V. K. Baksakara Menon *(Cranganur)* : I know Sir, that it is his profession *(Laughter)* I do not quarrel with another's profession. What I am suggesting is if there is a sufficiently strong position that the Bill is not properly drafted, the Bill should be referred to a Select Committee so that the matter may be fully considered and there may be proper legislation. There is no meaning at all in saying that because the Bill is brought by the Hon'ble Minister that it should be supported without any changes what-so-ever. The Hon'ble Minister does not want to oppose the motion but the sub-ministers want it. Then subordinates want it. That is the whole trouble. We really do not know whether we should support the Minister or not. I would therefore request the Hon'ble Member for Cranganur not to go forward with the opposition. Let the Bill be properly drafted and drafted by a responsible Committee. The Hon'ble Minister is for that, and I hope he will accept my suggestion laudibly.

Mr. K. M. Ibrahim *(Cranganur)* : Should not the Hon'ble Minister contribute something? As the Hon'ble Member in-charge of the Bill is he not expected to have his say? Regarding this new motion for reference to a Select Committee, the House expects him to say something.

Mr. President : If he has a wish to do so he can speak. If he does not wish to speak, he need not.

The question of referring the Bill to a Select Committee was put and carried

The Cochin Port Roads Control Act (Amendment) Bill

Mr. M. Sivarama Menon *(Advocate-General)* : I move that the Cochin Port Roads Control Act (Amendment) Bill be read in Council. In making this motion, I wish to bring to the notice of the House that the main Act was passed as Act X of 1117 to authorise the levy of special fees on vehicles that enter and make use of the port roads. It has been found that there must be further egislative authority conferring power to levy terminal fees on goods that are taken in or taken

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APPENDIX III

THE COCHIN LIVE-STOCK IMPROVEMENT BILL

A Bill to provide for the improvement of live-stock in the Cochin State

Preamble.

WHEREAS it is expedient to provide for the improvement of live-stock in Cochin State; It is hereby enacted as follows.—

Short title, extent and commencement.

1. (1) This Act may be called the Cochin Live-Stock Improvement Act of 112 .

(2) It extends to the whole of Cochin State.

(3) This section shall come into force at once, and Government may from time to time by notification in the Cochin Government Gazette apply all or any of the remaining provisions of this Act to the whole or any portion of Cochin State from such date and for such period, if any, as may be specified in the notification, and may cancel or modify any such notification.

Definitions.

2. In the Act, unless there is anything repugnant in the subject or context—

(*a*) "bull" includes a buffalo-bull;

(*b*) "cow" includes a buffalo-cow and a heifer;

(*c*) "Director" means the officer appointed by Government as the Director of Veterinary Services for Cochin State and includes any other person on whom the powers or duties of the Director under this Act have been conferred or imposed under section 3;

(*d*) "licence" means a licence granted under section 4;

(*e*) "licensing officer" means the Director or any other officer or person authorised to grant licences under section 4;

(*f*) "prescribed" means prescribed by rules made under this Act;

(*g*) a person is said to "keep a bull" if he owns the bull or has the bull in his possession or custody; and

(*h*) a bull is said to be "castrated" if it is rendered incapable of propagating its species.

Appointment of Director.

3. Government may by general or special order confer or impose on any person all or any of the powers or duties of a Director under this Act.

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Bulls which have attained a certain age to be licensed.

4. (1) No person shall keep a bull which has attained the prescribed age except under and in accordance with the terms, conditions and restrictions of a licence granted under this section, unless it is effectively castrated.

Explanation.—Where a person keeps more than one bull, he shall obtain a separate licence in respect of each bull.

(2) Every licence under this section shall be granted by the Director or any officer or person authorised by him by general or special order. It shall be in such form, for such period, and subject to such terms, conditions and restrictions as may be prescribed. No fee shall be charged for the grant of the licence.

Refusal and revocation of licences.

5. (1) Subject to such rules as may be prescribed, the licensing officer may refuse to grant or may revoke a licence in respect of any bull if in his opinion the bull appears to be—

(*a*) of defective or inferior conformation and consequently likely to beget defective or inferior progeny, or

(*b*) suffering from an incurable, contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or

(*c*) of a breed which it is undesirable to propagate in the area in which it is kept.

(2) The licensing officer may also revoke a licence granted in respect of any bull kept within his jurisdiction (whether such licence was granted by himself or by any other officer) if in his opinion—

(*a*) the licence was granted under circumstances of which the licensing officer was not aware at the time of granting the licence, or

(*b*) there has been a breach of any of the terms, conditions or restrictions of the licence.

(3) If a licence is revoked under this section, the officer revoking the licence shall give notice thereof to the person keeping the bull or to the person stated in the licence to be the owner of the bull. The notice shall set out the grounds for the revocation.

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(4) No person shall be entitled to any compensation for the refusal or revocation of any licence under this section.

Surrender of licence.

6. A licence granted in respect of a bull shall be surrendered without delay to the licensing officer, if—

(*a*) the period specified in the licence expires, or

(*b*) the licence is revoked under this Act, or

(*c*) the bull dies, or is certified by the prescribed officer to have been effectively castrated by a method and in a manner approved by the Director.

Inspection of bulls.

7. The licensing officer may by order require any person keeping a bull to submit it for inspection by himself or by any officer or person deputed by him for the purpose, at any reasonable time, either at the place where the bull is kept for the time being or at any other reasonable place specified in the order, and thereupon it shall be the duty of the person keeping the bull to submit it for inspection accordingly, and render all reasonable assistance in connection with such inspection to the officer concerned.

Power to order castration of bulls.

8. (1) The licensing officer may by order require any person keeping a bull which in his opinion has attained the prescribed age, and in respect of which no licence is for the time being in force under this Act, to have it castrated, within one month from the date of the service of the order, by a method and in a manner approved by the Director and specified in the order.

(2) Such castration shall be performed or caused to be performed by the licensing officer free of charge, unless the owner or other person keeping the bull desires to make his own arrangements for complying with the order.

Duty to inform owner of contents of notice, or order of castration.

9. If any notice or order is served under section 5, section 7, or section 8 on any person who is not the owner of the bull, it shall be the duty of that person forthwith to take all reasonable steps to inform the owner of the contents of such notice or order, and if he fails to do so, he shall be liable to indemnify the owner against any loss the owner may sustain by reason of such failure.

Production of licence.

10. It shall be the duty of any person who for the time being keeps a bull in respect of which a licence has been obtained and is in force, to produce such licence—

(*a*) within a reasonable time, at any place where the bull is for the time being, on demand made by a licensing officer or an officer of the Veterinary Department not below the rank of Veterinary Assistant Surgeon, or an

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officer of the Agricultural Department not below the rank of Agricultural Inspector, or an officer of the Revenue Department not below the rank of Revenue Inspector, or such other officer as may be authorized in this behalf by Government by general or special order, or

(*b*) before a cow is served by the bull, on demand made by the person in charge of the cow.

Penalties.

11. Whoever—

(*a*) keeps a bull in contravention of this Act or of any rule or order made thereunder, or of any terms, conditions or restrictions of a licence, or

(*b*) neglects or fails to submit a bull for inspection when required to do so under section 7, or

(*c*) neglects or fails to comply with an order served under section 8, or

(*d*) neglects or fails to produce a licence when required to do so under section 10,

shall be punishable with fine which may extend to fifty rupees and in the case of second or any subsequent offence with fine which may extend to one hundred rupees.

Power of licensing officer to castrate bulls.

12. (1) If a person who keeps a bull neglects or fails to submit it for inspection, or to have it castrated when required to do so under section 7, or section 8 the licensing officer may direct that the bull shall be castrated by a method and in a manner approved by the Director and marked with a prescribed mark in the prescribed manner, free of charge.

(2) (*a*) If it is not known in whose ownership, possession or custody a bull is for the time being and the fact cannot be ascertained after an inquiry in the prescribed manner, the licensing officer may seize the bull or cause it to be seized, and if he is of opinion that the bull has attained the prescribed age and is unsuitable for breeding purposes on any of the grounds specified in sub-section (1) of section 5 may direct that the bull shall be castrated by a

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method and in a manner approved by the Director and marked with a prescribed mark in the prescribed manner, free of charge.

(*b*) Every bull seized under clause (*a*) shall, after it has been castrated and marked as aforesaid where necessary, be sold by public auction or sent to a pinjrapole or infirmary recognised by Government in this behalf.

(*c*) In case the owner of any bull seized under clause (*a*) appears before the licensing officer within such time as may be prescribed in this behalf and proves to the satisfaction of such officer that the bull is owned by him—

(*i*) in case the bull has been sold by public auction, the proceeds of such sale shall be paid to the owner after deducting therefrom the costs, charges and expenses incurred for the maintenance and sale of the bull; and

(*ii*) in any other case, the bull shall be delivered to the owner on payment of the costs, charges and expenses incurred for its maintenance.

(*d*) The costs, charges and expenses referred to in sub-clauses (*i*) and (*ii*) of clause (*c*) shall be determined in the prescribed manner.

Power of licensing officer, etc., to inspect or mark bulls and enter premises.

13. For the purposes of this Act, a licensing officer or any officer or person authorized by him in this behalf shall have power at all reasonable times—

(*a*) to inspect any bull;

(*b*) to mark any bull with a prescribed mark in the prescribed manner; and

(*c*) subject to such conditions and restrictions, if any, as may be prescribed, to enter any

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premises or other place where he has reason to believe that a bull is kept.

Duty of officers to report offences, etc.

14. It shall be the duty of all village officers and servants and of all officers of the Veterinary, Agricultural and Revenue Departments—

(*a*) to give immediate information to the nearest licensing officer of the commission of any offence, or of the intention or preparation to commit any offence punishable under this Act, which may come to their knowledge;

(*b*) to take all reasonable measures in their power to prevent the commission of any such offence which they may know or have reason to believe is about or likely to be committed; and

(*c*) to assist any licensing officer in carrying out the provisions of this Act.

Cognizance of offences.

15. No Magistrate shall take cognizance of any offence under this Act except upon a complaint made by a licensing officer or any person authorized by such officer in this behalf.

Officers to be public servants.

16. The Director, every licensing officer, all officers and persons authorised by the Director or a licensing officer under this Act, and all village officers and servants, shall be deemed to be public servants within the meaning of section 15 of the Cochin Penal Code.

Bar of certain proceedings.

17. (1) No suit, prosecution or other proceeding shall lie against any officer or servant of Government for any act done or purporting to be done under this Act without the previous sanction of Government.

(2) No officer or servant of Government shall be liable in respect of any such Act in any Civil or Criminal proceeding if the Act was done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Act.

Limitation for certain suits and prosecutions.

18. No suit shall be instituted against Government and no suit, prosecution or other proceeding shall be instituted against any officer or servant of Government in respect of any act done or purporting to be done under this Act unless the suit, prosecution or other proceeding is instituted within six months from the date of the act complained of.

Revision.

19. Government may at any time either *suo motu* or on application, call for and examine the record of any order passed by, or any proceedings recorded by, any officer or

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person under this Act, for the purpose of satisfying themselves as to the legality or propriety of such order or as to the regularity of such proceedings, and may pass such order in reference thereto as they think fit.

Nothing contained in this section shall apply to the orders or proceedings of any Court or Magistrate.

Power to make rules.

20. (1) Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) all matters expressly required or allowed by this Act to be prescribed ;

(*b*) the circumstances in which duplicates of licences may be granted, the fees which may be charged for the grant of such duplicates, and the conditions, restrictions and limitations subject to which they may be granted ;

(*c*) the powers to be exercised and the duties to be performed by officers appointed under this Act, and the procedure of such officers; and

(*d*) the service of notices and orders issued under this Act.

(3) In making a rule under sub-section (1) or sub-section (2), Government may provide that a person guilty of a breach thereof shall be punishable with fine which may extend to fifty rupees.

(4) The power to make rules conferred by this section shall be subject to the condition of the rules being made after previous publication.

Gazette and upon such publication shall have effect as if enacted in this Act.

Saving.

21. Nothing contained in this Act shall apply to a bull dedicated in good faith to a religious purpose in accordance with any religious usage or custom, provided that notice of the dedication is given in the prescribed manner to the licensing officer.

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